

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

NATIONAL UNION FIRE  
INSURANCE COMPANY OF  
PITTSBURGH, PA, as assignee  
and subrogee of Florida Education  
Association,

Plaintiff,

v.

Case No. 3:20-cv-11-MMH-MCR

MILDRED K. GRIFFIS a/k/a Kelly  
Griffis,

Defendant.

---

**O R D E R**

**THIS CAUSE** is before the Court on the Report and Recommendation (Dkt. No. 61; Report), entered by the Honorable Monte C. Richardson, United States Magistrate Judge, on April 26, 2023. In the Report, Judge Richardson recommends that Plaintiff's Motion for Final Order of Judgment of Continuing Garnishment (Dkt. No. 59; Motion) be granted. See Report at 2, 9. No objections to the Report have been filed, and the time for doing so has now passed.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b). Pursuant to Rule 72, Federal Rules of Civil Procedure (Rule(s)), the Court “must determine de novo any part of the magistrate judge’s disposition that has been properly objected to.” See Rule 72(b)(3); see also 28 U.S.C. § 636(b)(1). However, a party waives the right to challenge on appeal any unobjected-to factual and legal conclusions. See 11th Cir. R. 3-1.<sup>1</sup> As such, the Court reviews those portions of the Magistrate Judge’s findings to which no objection was filed for plain error and only if necessary, in the interests of justice. See id.; see also Thomas v. Arn, 474 U.S. 140, 150 (1985) (“It does not appear that Congress intended to require district court review of a magistrate [judge’s] factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings.”); Dupree v. Warden, 715 F.3d 1295, 1304-05 (11th Cir. 2013) (recommending the adoption of what would become 11th Circuit Rule 3-1 so that district courts do not have “to spend significant amounts of time and resources reviewing every issue—whether objected to or not.”).

---

<sup>1</sup> The Magistrate Judge properly informed the parties of the time period for objecting and the consequences of failing to do so. See Report at 1, n.1.


Upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

**ORDERED:**

1. The Magistrate Judge's Report and Recommendation (Dkt. No. 61) is **ADOPTED** as the opinion of the Court.
2. Plaintiff's Motion for Final Order of Judgment of Continuing Garnishment (Dkt. No. 59) is **GRANTED**.
3. The Clerk of the Court is directed to enter final judgment of continuing garnishment in favor of Plaintiff, National Union Fire Insurance Company of Pittsburgh, PA, as assignee and subrogee of the Florida Education Association, and against Garnishee, the School Board of Clay County Florida (improperly named as Clay County District Schools), directing Garnishee to garnish the portion of Defendant's salary or wages as set forth in the Garnishee's Answer

until the Judgment in the outstanding amount of \$220,228.09 against Defendant is satisfied or until the Court orders otherwise.

**DONE AND ORDERED** in Jacksonville, Florida, this 18th day of May, 2023.

  
**MARCIA MORALES HOWARD**  
United States District Judge

i57

Copies to:

Counsel of Record

Mildred K. Griffis  
5240 Mallard Road  
Middleburg, FL 32068

The School Board of Clay County, Florida  
900 Walnut Street  
Green Cove Springs, FL 32043